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10/784,172

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Jeong-seok Oh

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ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P.  
1300 19TH STREET, N.W.  
SUITE 600  
WASHINGTON,, DC 20036

EXAMINER

THOMAS, ASHISH

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/784,172	<b>Applicant(s)</b> OH, JEONG-SEOK	
	<b>Examiner</b> ASHISH K. THOMAS	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,4 and 6-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4, 6-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 10/22/2008 have been fully considered but they are not persuasive.

In page 6, paragraph 2-page 7, paragraph 1 of the Remarks, the Applicant argues that the control unit in the present application resides in the printing apparatus whereas the control unit in the Nishikawa reference resides in the host unit. More specifically, the Applicant asserts that the Nishikawa reference does not teach the “determining step” stated in the claim language.

In response, the Examiner respectfully disagrees with the Applicant. Note that the claims merely disclose a control unit that determines whether language information from the host device has been received through the printer interface. The claim language does not describe a control unit that decides what language to display. Nor does the claim language describe a control unit that determines whether or not to display in a certain language. All that the claim language discloses is the ability to determine the display settings and follow suit with the display settings. This ability, after all, is inherently taught by any print apparatus that changes display languages. Some sort of the determination must be made at the print apparatus as to what language is to be used. Otherwise, the desired language preference won't be displayed.

The Nishikawa reference teaches a printing apparatus that adheres to certain display language settings based on its communication with the host device(column 8,

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lines 13-33; column 9, line 60-column 10, line 5). This, in turn, inherently teaches the control unit claimed in the claim language.

In page 7, paragraphs 3-5 of the Remarks, the Applicant argues that the 35 U.S.C. section 103(a) rejection of claims 6 and 9 is not proper. The Applicant states that the claimed subject matter is not mentioned in the admitted prior art portion of the Specification.

In response, please note that the rejection was not based on admitted prior art that was mentioned in the Specification. Rather, the rejection was based on well known prior art(also labeled as an official notice) that is known to a person with ordinary skill in the art. Multifunction devices, after all, are well known in the technology.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, 4, 7, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Nishikawa(U.S. 7,064,849).

Regarding claim 1, Nishikawa teaches a print apparatus(**Column 4, line 1 discloses printer 1500**), comprising: a display unit; (**Column 5, lines 16-22 teaches**

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**that the printer 1500 consists of a display unit)** an interface adapted to communicate with a host device; **(Column 5, lines 10-13 describes input unit 18 that communicates between the printer 1500 and host computer 3000. Input unit 18 reads on the interface stated in the claim language.)** and a control unit for determining whether certain language information from the host device has been received through the interface, wherein the language information is display language information of a device driver set when the device driver is installed in the host device to control the operation of the print apparatus **(Column 8, lines 13-33 disclose the ability to display a language based on the settings set by printer driver 203.);** and, if it is determined that the language information has been received, displaying display information on the display unit in a language corresponding to the language information. **(Column 5, lines 48-63 teaches the ability to set certain preferences to the printer via a printer driver 203. Column 8, lines 13-33 and column 9, line 60-column 10, line 5 detail the ability to set the display language based on the region. All this, in turn, implies the existence of the control unit stated in the claim language.)**

Regarding claim 3, Nishikawa further discloses the print apparatus wherein the information to be displayed on the display unit includes menu information, option information, and message information displaying an operational status of the print apparatus which are set in the print apparatus. **(Column 10, lines 24-37 teaches that the user interface and messages are displayed in the selected language. Note that menu information and option information are all part of a typical user interface for a printer display.)**

Regarding claim 4, it is rejected in the same manner as claim 1. Note that claim 4 is a method claim that corresponds to claim 1.

Regarding claim 7, Nishikawa teaches an automatic display language setting method for a print apparatus in a print system having a host device connected through the print apparatus and a communication interface(**Column 5, lines 10-13 describes input unit 18 that communicates between the printer 1500 and host computer 3000. Input unit 18 reads on the interface stated in the claim language.**), comprising: sending to the print apparatus display language information of a device driver which is set when the device driver for controlling operation of the print apparatus is set up in the host device; (**Column 8, lines 13-33 disclose the ability to display a language based on the settings set by printer driver 203.**) determining whether the display language information of the device driver has been received from the host device; (**Column 9, line 60-column 10, line 5 details the ability to set the display language.**) and setting up a display language of the print apparatus to display information to be displayed on a display unit of the print apparatus in a language corresponding to the display language information of the device driver, if it is determined that the display language information of the device driver has been received from the host device. (**Column 9, line 60-column 10, line 5**)

Regarding claim 8, Nishikawa discloses the automatic display language setting method wherein the sending step comprises: setting up the device driver in a memory of the host device if an installation command for the device driver has been received; (**Column 8, lines 13-33**)selecting the display language of the device driver; (**Column 8,**

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**lines 13-33 teaches that a local language is set based on the country)** and sending to the print apparatus the display language information of the device driver to set up the display language of the print apparatus in the same language as the display language of the device driver. **(Column 10, lines 24-37 teaches that the selected language is used in the printer display. This, in turn, implies that sending method stated in the claim language.)**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa(U.S. 7,064,849) in view of well known prior art(Official Notice).

Regarding claim 6, Nishikawa teaches the subject matter claimed in claim 4.

But Nishikawa is silent on a printer apparatus that includes a facsimile machine, a printer, and a combination device providing functions of the facsimile machine and printer.

The Examiner though asserts that a multi-functional peripheral is rather well known in the art(Official Notice).

Therefore, it would have been obvious for one of ordinary skill in the art, at the time of the present invention, to modify Nishikawa with well known prior art to fully put forth the method claimed in claim 6.

The motivation behind such a modification is to put forth an apparatus that is compatible in most environments. These days, multi-functional peripherals are rather prevalent, especially in an office environment. In view of this, it makes sense to develop a language display method that caters to not only printers but also to multi-functional peripherals as well.

Regarding claim 9, it is rejected in the same manner as claim 6. Note that claim 9 is a method claim that corresponds to claim 6.

### ***Conclusion***

**4. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHISH K. THOMAS whose telephone number is (571)272-0631. The examiner can normally be reached on 9:00 a.m. - 5:30 p.m. EST.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ashish K Thomas/  
Examiner, Art Unit 2625

/David K Moore/

Supervisory Patent Examiner, Art Unit 2625